

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

OMNI SOLO, INC.,

Plaintiff

vs.

LISA MAYER and DEBRA MAYER

Defendant

14 CV 3662
Case Number

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

U.S. SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff

vs.

AMERINDO INVESTMENT ADVISORS,
INC., et al.

Defendant

Case Number

05cv5231 (RJS)

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

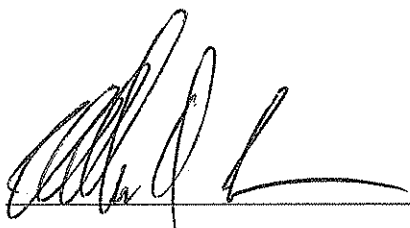
Summary judgment has been granted in favor of plaintiff SEC and an order has been granted dated 5/6/2014 directing payment of disgorged profits and related funds to intervenors, including defendants in the instant later-filed case.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Defendants in the instant later-filed action are intervenors in the earlier-filed action, a civil action by SEC seeking inter alia disgorgement of profits by defendants who violated provisions of the federal securities laws. The instant later-filed action seeks damages for breach of a written retainer agreement entered into by and between defendants and plaintiff, a consulting firm that provided investigation, forensic accounting, and litigation support services in connection with defendant's claims as intervenors against the defendants in the earlier-filed action. The substance of intervenor's claims against defendants in that matter are closely tied to the proof that will be presented by plaintiff in the instant later-filed action that the retainer agreement is legally binding, and plaintiff is legally entitled to payment as set forth therein.

The familiarity of the Court with the substantively complex and procedurally convoluted proceedings in the prior civil action, as well as the prior criminal trial arising out of the same securities violations, will result in a substantial conservation of judicial resources and potentially expedite resolution of the instant action.

Signature: _____



The Chartwell Law Offices, LLP

Date: 5/20/2014

Firm: _____